

# WARWICK LOCAL PLAN EXAMINATION 2016

## Matter 6

### STATEMENT ON MATTER 5 BY THE CAMPAIGN TO PROTECT RURAL ENGLAND

#### Matter 6 – Sub-Regional Employment Site

##### ***Issue***

*Whether the Sub-Regional Employment Site proposed in Policy DS16 is justified, effective and consistent with national policy.*

##### **Policy DS16**

##### **Questions**

1) What is intended in terms of the scale, type and mix of development? What would be the extent of built development in the Green Belt?

The whole of the proposed sub-regional employment site is within the Green Belt. The impact on the Green Belt is magnified because of the proximity of housing proposals (such as King's Hill) nearby in the narrow Green Belt south of Coventry.

2) What is the current situation regarding the planning history and status of the site?

In 2015, the Secretary of State rejected the Coventry & Warwickshire Gateway planning application on the same site. The north part of the site is the subject of the current Whitley South planning application which WDC has indicated it will approve in advance of adoption of the Local Plan.

3) What would be the effect of the proposal on the purposes of including land within the Green Belt?

Although the Joint Green Belt Study of June 2015 is listed in the Evidence Base, its findings are effectively ignored in the proposed Local Plan. The Joint Green Belt Study assessed parcels of land for their performance in terms of the national policy, specifically rating them against the five purposes defined in the NPPF. These parcels were also grouped into broad areas which were assessed for their strategic Green Belt designation. The proposed sub-regional employment site covers parcel C10.

All parcels scored full marks against the objective to assist urban regeneration by encouraging the recycling of derelict and other urban land. Parcel C10 (the proposed sub-regional employment site) is rated as a higher-performing Green Belt parcel and is cited as an example of land bordering the southern edge of Coventry as contributing significantly to the purposes of the Green Belt. It highlights the good 'intervisibility' with the historic core of Coventry, contributing to the visual setting of the historic city. The study notes that the A45 "represents a significant boundary helping to protect the countryside within the parcel from encroachment from Coventry" and "the Green Belt within the parcel represents the principal protector of the countryside".

The Joint Green Belt Study confirms that the proposed developments would cause immense harm to the Green Belt. It would need incredibly strong exceptional circumstances to clearly outweigh such harmful and inappropriate development. There is no evidence that these sites, driven in part by excessive demands arising outside Warwick District, have been selected as the best available after a top-down sustainability assessment for the whole Coventry and Warwickshire Local Enterprise Partnership area. Brownfield sites and other sites outside the Green Belt are suitable alternatives.

These substantial areas were first proposed for removal from the Green Belt in late stages of the development of the emerging Local Plan. Public consultation on these proposals has been constrained solely to the issues of soundness. There has been no adequate public consultation on these key proposals at a stage when the Council was open to considering changes to its proposals. The consultation process has not allowed effective engagement of interested parties. This process is seriously flawed and does not comply with the necessary procedures for preparation of a Local Plan. Lack of adequate consultation renders the plan legally non-compliant.

There are no exceptional circumstances that justify substantial harm to the Green Belt. The proposed policy is unsound. The Green Belt should be protected and development that is really justified – not excessive - should be directed towards urban areas and land outside the Green Belt.

4) What would be the effect on the openness of the Green Belt?

The Coventry & Warwickshire Gateway inquiry concluded that the site has “*strong characteristics of openness*” and that development would “*constitute an intrusion on openness*”. It assessed that development of the site would conflict with the objective to check urban sprawl, especially because of its “*sheer geographic extent*”. Development would “*materially contribute towards the merging of Coventry with other settlement beyond the existing built-up area*” and there would be significant encroachment on the countryside by substantial buildings for business use. It concluded that development of the site would “*give rise to Green Belt harm by reasons of a large-scale loss of openness and clear conflict with 3 of the 5 Green Belt purposes.*” Overall, there would be “*substantial adverse effect on the Green Belt*”, especially because of the “*geographic extent of the Green Belt land that would be affected*”.

All the same conclusions apply to the site when it is called a sub-regional employment site rather than the Gateway.

5) What would be the effect in terms of:

- The landscape and the character and appearance of the area
- Heritage assets
- Biodiversity
- Transport
- Other issues

How would these be addressed/mitigated?

**N.B. In responding to the above the Council should address key concerns raised in representations.**

The Sustainability Assessment for the Sub-Regional Employment Land Site (Enfusion, October 2014) confirms that the proposals have **major negative**

effects on Prudent Use of Land and Natural Resources. It confirms that there are additional negative effects on the Historic Environment, the Natural Environment and Landscape, Reducing the Need to Travel, Air, Water and Soil Quality, Waste and Recycling. It claims a major positive effect on the Economy but this is based on flawed employment studies (as outlined below). Other assessed positive effects are associated with the (flawed) assumption of increase in employment. The Sustainability Assessment recognises that “*There are numerous landscape, biodiversity and land restraints on the development site.*”

6) How does the proposal sit with the need for employment land identified in Policy DS8?

The sub-regional employment site is proposed in addition to the employment land needed to satisfy Warwick District’s needs. As previously submitted, the allocation proposed in Policy DS8 is already excessive, containing contingencies on buffers on unnecessary allocations. Taken together, the proposed allocations of employment land would lead to huge excesses and unnecessary removals from the Green Belt.

The allocation of additional ‘sub-regional’ land is flawed in principle. Each local plan in the sub-region addresses its objectively assessed need for employment land. Although the WDC plan makes a very small adjustment (just 6.5ha of the 235ha site) to take account of the proposed sub-regional employment site, there is no evidence that all other local plans in the sub-region have reduced their employment land allocations to account for the whole (235ha) sub-regional employment site. This would lead to a massive excess of employment land in the sub-region. The disparate uses proposed for the sub-regional employment site could, and should, be accommodated within employment allocations in local plans in the sub-region.

7) What is the evidence in terms of the need for such a site? And specifically in this location? How would it relate to wider employment land needs, other sites in the sub-region and economic strategies?

The need for a sub-regional employment site is not proven. Several employment studies have been put forward by the Coventry & Warwickshire LEP to try to provide an economic justification for a sub-regional employment site but these studies are flawed. They use biased methodologies, for example using historic trends for demand projections but depending on named sites for supply assessment. They omit significant sites across the sub-region; for example, the most recent study for the Coventry & Warwickshire LEP (CBRE, August 2015) omits three of the four large brownfield employment sites identified in the recently adopted Stratford upon Avon local plan; it makes no mention of the 40 hectare logistics site at Baddesley Colliery in North Warwickshire (which has had extant planning permission since 1996) that is now being taken up by Jaguar Land Rover (so freeing up existing employment land in Stratford district). Such critical omissions undermine the validity of claimed economic justification.

The Coventry & Warwickshire Gateway inquiry concluded that “*the scale of the development proposed has not been fully justified in terms of quantitative provision*”. Since then, the result of the EU Referendum has led to widespread reduction of growth forecasts. There is even less economic justification now for the scale of the proposed site.

8) What would be the benefits in terms of job creation? What evidence is there to support this and is it sufficiently robust?

Allocation of employment land does not create jobs (except possibly in planning). Building offices and warehouses does not create jobs (except possibly in construction). The (failed) justification for the number of jobs associated with the (rejected) Gateway proposal misused the HCA ratios. If a business plans to grow to a given number of jobs of a given type, the HCA ratios are a valid guide to the premises needed to accommodate the business. It is not valid to apply the HCA ratios the other way around, pretending that availability of buildings would lead to creation of a certain number of jobs. The sub-regional employment site proposal continues to depend on this flawed methodology, which is not valid. Economic benefits are far from proven.

9) Would it be competing with other sub-regional sites or employment land generally?

10) Would there be potential for displacement of jobs from existing locations?

The proposed sub-regional employment site would compete with other sites within the sub-region, such as at Gaydon in Stratford District and at Dordon in North Warwickshire. It would also compete with strategic sites of the periphery of the sub-region, such as DIRFT (on border between Rugby Borough and Northamptonshire), Blythe Valley (in Solihull just over the border from Warwick District) and MIRA (on the border between North Warwickshire and Leicestershire). It would create an excess of employment land in the area causing great damage to the Green Belt.

11) Would there be other benefits, including physical/environmental benefits? If so, what would these be?

12) Could the economic benefits of the proposal be achieved from developing elsewhere?

There is no evidence of a top-down sustainability appraisal of sites across the whole sub-regional which could indicate the most sustainable location for a sub-regional site (if justified). The chosen site was promoted by developers as the Coventry & Warwickshire Gateway but the planning application was rejected by the Secretary of State after a public inquiry. There is no evidence that the Gateway site, or any site in Warwick District, is the optimal location. There is no evidence that a single large site must be used, rather than a mixture of smaller sites with less impact. Alternatives have not been evaluated adequately. Despite all these issues, Warwick District Council has continued to champion the 'Gateway' site without adequate justification.

13) Would the proposal be realistically viable and deliverable? What are the potential constraints to development and infrastructure requirements and how would these be overcome?

During the Coventry & Warwickshire Gateway inquiry, the applicant produced evidence of extensive contamination of the site and the need for very substantial reclamation work in the southern part of the site in particular (for example, the sewage works). The cost of this reclamation, combined with the cost of proposed extensive road infrastructure required for the site, led to the claim that the site was only economically viable if the whole site was developed as a single entity, both the north and south parts of the site together.

In the Whitley South application on the north part of the site, the applicants claim that there is an urgent need for the development requiring development before adoption of the local plan. This is said to justify 'very special circumstances' for inappropriate development in the Green Belt. The intended approval of the Whitley South application therefore makes the remainder of the site, with its huge reclamation and infrastructure costs, non-viable and undeliverable. The only reason for now removing the sub-regional employment site from the Green Belt would be to enable additional development of the south part of the site but this is non-viable.

14) In overall terms is the proposal justified and are there exceptional circumstances to justify altering the Green Belt? If so, what are they?

The Gateway inquiry concluded that development of the site would "*give rise to substantial Green Belt harm, which should be accorded very serious weight given the importance attached to Green Belts.*" The proposed sub-regional employment site is effectively the same as the Gateway and development would also cause substantial harm to the Green Belt. This should be accorded great weight.

The case for approval of the Whitley South application on the north of the site is based on its proximity to the existing Jaguar Land Rover site at Whitley and the urgency of JLR's need for expansion. This was claimed to represent very special circumstances for inappropriate development in the Green Belt. This development driven by JLR would not necessitate removing the site from the Green Belt. Retaining the site in the Green Belt would retain an element of protection in case the proposed JLR development did not proceed as currently envisaged. The JLR development could proceed without the rest of the sub-regional employment site.

There are no proven exceptional circumstances for the removal of the sub-regional employment site from the Green Belt.